

REMARKS

Claims 7, 8-15, 17 and 25-33 are pending in this application, of which claims 1-6, 16, 18, 20 and 22-24 have been canceled. Claims 7, 8, 15, 17, 25, 26 and 27 have been amended. No new claims have been added.

Claims 15-16, 18, 20, 22, 1, 3-8 and 23-27 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. 6,442,391 B1 to Johansson et al. (hereinafter "**Johansson et al.**") in view of U.S. Patent 6,600,928 B1 to Ahya et al. (hereinafter "**Ahya et al.**")

Applicants respectfully traverse this rejection.

Johansson et al. discloses a telecommunication system in which the geographic location of a mobile station may be determined. The integrity of the user of the mobile station is protected so as to prevent the location of the mobile station being established by an outsider against the will of the user. In this respect, an authorization check is carried out in conjunction with a request for determination of the geographical location of a mobile station. The geographical location is only determined when authorization is found for the mobile station to be located. This authorization control involves checking that the user of the mobile station has granted permission for the location of his mobile station MS to be determined on the part of an outsider. The authority check may also include the condition that only certain outsiders may be informed of the geographical location of the mobile station.

The Examiner has admitted that **Johansson et al.** fails to disclose preparation of a list of more than one terminal unit to which access to position information is given.

Claim 7, as amended, is a combination of claims 3 and 7 as originally filed. In the position information providing system of amended claim 7, the portable communications device comprises time setting means for setting a list transmitting time input by the user, time detecting means for detecting arrival of the list transmitting time, and transmitting means for transmitting list data to the position information providing device upon detection of the arrival of the list transmitting time. Therefore, when the user sets in advance as a list transmitting time the start time of the time zone during which he does not want to have his current position known, the user can transmit list data to the position information providing device without any manipulation at the start time of the time zone.

As to claim 7, the Examiner has asserted on page 6 of the Office Action that column 3, line 3 of Ahya et al. discloses transmitting list data to the position information providing device upon detection of the arrival of the list transmitting time. Ahya et al. discloses transmitting a validity period divided by the user to the infrastructure equipment, but fails to disclose transmitting list data to the position information providing device upon detection of the arrival of the list transmitting time. Johansson et al. also fails to disclose the “time setting means,” “time detecting means,” and “transmitting means” recited in claim 7, as amended.

As described above, neither Ahya et al. nor Johansson et al. discloses the “time setting means,” “time detecting means,” and “transmitting means” as recited in claim 7, as amended. Therefore, the invention of claim 7 cannot be obtained even if these two references were combined.

Amended claim 8 is a combination of claims 3 and 8 as originally filed. In the position information providing system of amended claim 8, the portable communications device comprises transmitting means for transmitting a list invalidation command signal to the position information providing device in response to a list invalidating manipulation by the user, and the position information providing device comprises invalidation processing means for the list invalidation command signal. The Examiner has asserted on pages 6-7 of the Office Action that column 3, line 45 to column 4, line 3 of Ahya et al. discloses transmitting a list invalidation command signal to the position information providing device in response to an invalidating manipulation by the user, and the position information providing device receiving the signal to invalidate registration of the list data. However, Ahya et al. fails to disclose such features. Johansson et al. also fails to disclose the “transmitting means” and “invalidation processing means” recited in claim 8, as amended.

As described above, neither Ahya et al. nor Johansson et al. discloses the “transmitting means” and “invalidation processing means” recited in claim 8, as amended. Therefore, the invention of amended claim 8 cannot be obtained even if the two references were combined.

Claim 15, as amended, recites a portable communications device included in the position information providing system of claim 7 described above.

Claim 25, as amended, is a combination of claims 22 and 25 as originally filed. The portable communications device of amended claim 25 comprises information processing means for validating the list data in response to a list validating manipulation by the user, and means for

checking whether provision of the position information is approved when the list data is valid. Therefore, when the user prepares a list in advance, his current position can be prevented from being known to a third party only with a list validating manipulation upon arrival of the time when he does not want to have his current position known. Neither Ahya et al. nor Johansson et al. discloses the “information processing means” and “checking means” recited in claim 25, as amended. Therefore, the invention recited in amended claim 25 cannot be obtained even if these two references were combined.

Claim 26, as amended, is a combination of claims 22 and 26 as originally filed. The portable communications device of amended claim 26 comprises time setting means for setting a list validating time input by the user, time detecting means for detecting arrival of the list validating time, information processing means for validating the list data upon detection of arrival of the list validating time, and means for checking whether provision of the position information is approved when the list data is valid. Therefore, when the user sets in advance as a list validating time the start time of the time zone during which he does not want to have his current position known, his current position can be prevented from being known to a third party without any manipulation at the start time of the time zone. Neither Ahya et al. nor Johansson et al. discloses the “time setting means,” “time detecting means,” “information processing means” or “checking means” recited in claim 26, as amended.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 2, 17, 19, 21 and 29-32 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Johansson et al. in view of Ahya et al. and U.S. Patent Publication 2003/002862A1 to Furlong et al. (hereinafter "Furlong, et al.").

Applicants respectfully traverse this rejection.

Furlong, et al. discloses a system and method for managing subscriber presence, location and availability ("PLA") information across one or more communications networks. "Presence" requires both that a device be physically present within a network and that the device be in a state in which it can communicate. "Location" refers to the geographical coordinates associated with a communication device. "Availability" refers to a state characterizing whether a subscriber controlling a device desires to be contacted by another communicating entity.

The position information providing method recited in claim 2 comprises the step of checking, in response to a position information request command from the terminal communications unit, whether the positioned information as to the portable communications device is held during a specified period of time before the reception of the command until the reception and transmitting the position information to the terminal communications unit only when the position information is found to be held during the specified period. Neither Ahya et al. nor Furlong et al. discloses this step recited in claim 2.

The Examiner has allowed claims 10-14 and has indicated that claims 9, 28 and 33 would be allowable if rewritten in independent form (also erroneously referring to a 35 U.S.C. § 112, second paragraph, rejection). Therefore, claim 2 should also be allowed.

Claim 17, as amended, recites a portable communications device included in the position information providing system of claim 14. The portable communications device recited in claim 17, as amended, comprises time setting means for setting a position measurement discontinuing time and a position measurement resuming time, time detecting means for detecting arrival of the position measurement discontinuing time and the position measurement resuming time, and control means for discontinuing the information measuring operation upon detection of arrival of the position measurement resuming time. Therefore, when a user sets in advance, as a position measurement discontinuing time and a position measurement resuming time, the start time and the termination time, respectively, of the time zone during which he does not want to have his current position known, his current position can be prevented from being known to a third party without any manipulation at the start time and the termination time of the time zone.

The position information providing device recited in claim 19 comprises checking means operable in response to a position information request command from the terminal communications unit to check whether the position information as to the portable communications device is stored in the storing means during a specified period of time before the reception of the command until the reception.

The position information providing method of claim 21 has the same checking step as recited in claim 2. Therefore, claim 21 should also be allowed.

The portable communications device recited in claims 29 and 30 comprises checking means operable in response to a position information request command from the terminal

communications unit to check whether the position information is stored in the storing means during a specified period of time before the reception of the command until the reception. Therefore, claims 20 and 30 should be allowed.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

Claims 19-14 have been allowed, and claims 9, 28 and 33 have been indicated as containing allowable subject matter.

In view of the aforementioned amendments and accompanying remarks, claims 2, 7-15, 17, 19, 21 and 25-33, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



William L. Brooks

Attorney for Applicant

Reg. No. 34,129

WLB/ak

Atty. Docket No. 011784

Suite 1000

1725 K Street, N.W.

Washington, D.C. 20006

(202) 659-2930



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PATENT TRADEMARK OFFICE

Enclosure: Petition for One Month Extension of Time

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